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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 08/230,083 | 04/20/1994 | WILLIBALD KRAUS | TRW21364 | 5512 |

| EXAMINER | |
|-----------------|--|
| COCKS, JOSIAH C | |

| ART UNIT | PAPER NUMBER |
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| 3749 | # 53 |

| MAIL DATE | DELIVERY MODE |
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| 01/26/2007 | PAPER |

7590 01/26/2007
FAY, SHARPE, BEALL, FAGAN,
MINNICH & MCKEE
1100 SUPERIOR AVE., STE 700
CLEVELAND, OH 441142518

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

08/230,083

Examiner

Josiah Cocks

Applicant(s)

KRAUS, WILLIBALD

Art Unit


3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

See Continuation Sheet


Josiah Cocks
Primary Examiner
Art Unit 3749

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Art Unit: 3749

Continuation Sheet

Continuation of 7:

Per the decision by the Board of Patent Appeals and Interferences (BPAI) mailed September 21, 2006 the rejection of claims 14 and 16 presented by the examiner in the Office action mailed November 9, 1999 is AFFIRMED.

Per applicant's response filed November 21, 2006, applicant has accepted the decision of the BPAI and has request processing of claims 1-13 and return of the surrendered ribbon patent to applicant's representative.

Claims 1-13 are the only remaining claims in the application. These claims 1-13 are identical in claim language and claim scope as claims 1-13 of the original patent (U.S. Patent No. 5,105,731). Further, no other differences exist in this reissue application relative to the original patent. Therefore, no correctable error under 35 USC § 251 exists in this reissue application.

The Office will not grant a reissue patent which does not correct any error in the original patent.

Accordingly, because the period for seeking court review of the September 21, 2006 BPAI decision has expired, and pursuant to this decision, no claims stand properly allowed in this reissue application, the reissue application is ABANDONED.

Per applicant's request filed November 21, 2006, the surrendered ribbon patent is hereby returned to applicant's representative.